2. The impact that the affected acreage currently has on the local and regional economies in terms of jobs and ancillary business (using economic multipliers to capture the full impact);
3. A description of the various water rights that may exist in the affected agricultural area.
4. More information on the nature of proposed rotations if land fallowing is used:
   a. A comparison of the proposed rotation with current crop rotations, if any, both in terms of the kind and extent of fallowing to be practiced;
   b. Frequency of rotation;
   c. Duration of rotation;
   d. Soil-building and conservation practices to be employed on fallowed land; and,
   e. Quality of specific agricultural land affected if fallowing is used (e.g., USDA Land Capability Classification, Williamson Act class, crop potential, California Department of Conservation Farmland Mapping and Monitoring Program class, etc.).

S9-2

Environmental Impacts

The conversion of agricultural land to non-agricultural uses is generally recognized as one of the serious resource problems stemming from California's rapid population growth. The California Department of Conservation reports that between 1996 and 1998, the State lost about 40,000 acres of mostly top quality agricultural land to urbanization and other causes. As the State grows, not only do expanding cities directly convert agricultural land, but the resulting pressures on wetlands and other habitat lands have lead to further conversion of agricultural lands for habitat mitigation and restoration. Finally, as our population grows, the competition for water sharpens, resulting in the redirection of water away from agricultural lands for urban and environmental uses and the "fallowing" of productive farmland. The net result is a significant cumulative impact on agricultural lands.

S9-3

Therefore, it is important that environmental impact documents fully disclose the implications of projects on the continuing viability of regional and statewide agricultural resources. To improve the effectiveness of this DEIR/S with respect to documenting the environmental impacts of the proposed water transfer, we recommend that the final EIR include the following information.

1. Agriculture is working to reduce particulate air pollution by changing agronomic practices. The fallowing of agricultural fields could actually increase agriculturally derived dust in an area of the State already classified as failing to attain PM-10 dust standards. Therefore, the DEIR/S should address the potential air quality impacts from the following sources:
   a. Dust from fallowed fields;
   b. Increased pesticide and herbicide use to control weeds and pests on fallowed fields;
   c. Loss of carbon dioxide sequestering capacity if fallowed fields are not left with a green cover crop; and,
   d. Lake-bed dust as decreased agricultural runoff to the Salton Sea results in a lowering of the Sea's depth and a greater exposure of shoreline area.

S9-4

2. Impacts on water supply, including:
   a. Effects of transfer on groundwater recharge, particularly if water IID members switch to groundwater use in lieu of transferred water;

S9-5

Return to Contents

Response to Comment S9-3

The impacts of the Proposed Project and alternatives on agricultural resources, including the potential conversion of farmland to non-agricultural use, are described in Section 3.5 of the Draft EIR/EIS.

Response to Comment S9-4

Please refer to the Master Responses on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan, Air Quality—Air Quality Issues Associated with Fallowing*, and *Biological Resources—Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS.

Response to Comment S9-5

The sole source of water to the IID water service area is the diversion of Colorado River water at Imperial Dam. Groundwater within the IID water service area has TDS concentrations ranging from 2,500 mg/L to over 15,000 mg/L (Montgomery Watson 1995). In general, water with TDS concentrations above 1,000 mg/L are unsuitable for either domestic or agricultural uses.

As described in Section 1.4.3 of the Draft EIR/EIS, IID holds legal title to all water rights in trust for landowners within the IID water service area. Neither the IID/SDCWA Transfer Agreement nor the QSA will result in any transfer or termination of IID's historic entitlement to Colorado River water. These agreements provide for the long-term transfer of the use of specific amounts of water, not the water right or entitlement, to SDCWA, CVWD, and/or MWD. After expiration or termination of the term of each transfer, the right to use the water will revert to IID. These agreements also include a contractual forbearance by IID of total annual Priority 3 diversions at 3.1 MAFY, subject to certain adjustments and the availability of the IOP for payback of inadvertent exceedances. This aggregate Priority 3 limit includes the amount of conserved water transferred by IID to SDCWA, CVWD, and/or MWD. This contractual limit terminates upon expiration or termination of the agreements. The water transfers included in the Proposed Project are charged against IID's Priority 3 Colorado River water entitlement, although water applied pursuant to the QSA to Miscellaneous and federal PPRs (an amount of 11.5 KAFY) can be charged, at IID's option, to its Priority 6, 7, or 3 right, as available.

b. Ramifications of agreement on agricultural users' water rights (for example, how will appropriative water rights, which are based on use, be impaired if current users forego use for 75-years?);
c. Effects on the priority of water rights of IID for Colorado River water. That is, will the transferred water be from the first or later priority water rights to IID?

S9-5

Indirect Environmental Impacts

Describe how the proposed fallowing of up to 50,000 acres of productive agricultural land could affect the critical mass of agricultural acreage necessary to support local agricultural infrastructure, e.g. crop shipping and processing plants, and fertilizer, seed and irrigation suppliers, etc.. In turn, describe how a loss of critical support industries could adversely affect the profitability and use of the remaining agricultural lands in the IID.

S9-6

Growth-Inducing Impacts

1. Will the delivery of this new supply of water for municipal uses remove a barrier to growth that will lead to the conversion of agricultural land in the delivery area? If so, what are the potential future sources of water to support the new growth beyond the temporal terms and quantities of the proposed agreement?
2. Are there urban growth pressures in the water source region that could result in agricultural land conversion if agricultural land values drop due to the project's diversion of agricultural water supply?

S9-7

Cumulative Impacts

S9-8

The loss of important agricultural regions in California has been incremental. Within a lifetime, the County of Los Angeles has gone from the State's number one agricultural county to its 25th. Therefore, perhaps the most critical environmental analysis that should take place when assessing the impacts of a project on agricultural land is the cumulative impact analysis. The DEIR/S should address this impact by including the following information.

1. Will this project contribute to a pattern of agricultural land retirement or fallowing for the purposes of water diversion to non-agricultural uses in the project area? The DEIR/S should characterize the cumulative acreage of agricultural land retired by past, in-the-pipeline, and foreseeable water diversion projects in the project area and on a regional scale (i.e., Riverside and Imperial Counties).
2. Similarly, the DEIR/S should provide general documentation of the statewide trend in water transfers away from agricultural uses. For example, the Central Valley Project Improvement Act, the Palo Verde Irrigation District water transfer, and the CALFED Bay-Delta projects have idled, or have the potential to idle significant agricultural acreage. How would this project contribute to a potentially significant cumulative land resource impact?
3. Related to the preceding cumulative impact is the cumulative agricultural land conversion to urban uses. The DEIR/S should document the combined impact of water transfers and

Return to Contents

Response to Comment S9-6

It is not anticipated that fallowing associated with the Proposed Project or alternatives would impact the viability of agricultural support industries to the extent that they would not be able to continue servicing the remaining agricultural operations or that it would adversely impact the profitability of the remaining agricultural operations.

Response to Comment S9-7

In response to your comment regarding growth inducement in San Diego, please refer to the Master Response on *Other—Growth Inducement Analysis* in Section 3 of this Final EIR/EIS for a discussion of the potential growth inducement impacts in the SDCWA service area. The Proposed Project would not provide new water for new development in the San Diego region, but would only secure more reliable water supplies for existing customer demand. In addition, the Proposed Project does not involve construction of any new SDCWA facilities and no new water pipelines or aqueducts are proposed. The water transferred from IID would be transported via the existing MWD Colorado River Aqueduct and other existing transmission facilities. No new delivery systems are proposed that would provide water to currently undeveloped lands.

In response to the comment regarding agricultural land conversion in the Imperial Valley, the IID/SDCWA transfer is intended to allow IID farmers to irrigate the same amount of land with less water through efficiency improvements. In other words, payments from urban partners would be used to implement system and on-farm conservation measures within the District, thus developing the water for transfer while at the same time increasing overall water use efficiencies. Under such a conservation approach, land values would either be unaffected by "the Project's diversion of agricultural water supply" or would potentially increase due to the value of the conservation improvements.

Under a fallowing type of transfer program, the water supply to and the values of lands not fallowed would either not be affected by the Project or would potentially increase in value if a fallowing program reduced the overall supply of available farmland. The impact to the value of lands included in a fallowing program would depend on the type of fallowing

Response to Comment S9-7 (continued)

program implemented: either rotational, long-term, or permanent. For a detailed discussion of the impacts on property values, please refer to the Master Response on *Socioeconomics—Property Values and Fiscal Impact Estimates* (particularly the discussion of impacts on agricultural land values within the IID water service area) in Section 3 in this Final EIR/EIS.

In general, Imperial County has the lowest per capita income of any county in California, and consistently has one of the highest unemployment rates of any county in California. Local economic development agencies are actively seeking to broaden the County's economic base to include other industries in addition to agriculture. Since Imperial County's urban population centers are all within the IID water service area, and since the IID water service area has no developable raw land left, municipal and industrial growth will inevitably displace some agricultural acreage, regardless of this Project. This Project will neither hasten nor slow the conversion of agricultural farmland beyond that which would occur absent the Quantification Settlement Agreement or any of its component transfers.

In response to your comment regarding agricultural land conversion in San Diego, the IID/SDCWA water transfer will only replace imported water supplies that SDCWA has relied upon in the past from MWD, and will not create additional water supplies. The SDCWA 2000 Urban Water Management Plan indicates that the need for additional future water supplies will be diminished by ongoing and future conservation efforts, and additional water will be developed mainly from local sources (i.e., recycling, groundwater development, and desalination). No discussion is made of agricultural land conversion to provide additional future water supplies in the San Diego region.

Response to Comment S9-8

The Draft EIR/EIS notes that approximately 20,000 acres are fallowed on a rotational basis each year in the Imperial Valley without the Project. In the entire state of California, between 1996 and 1998, almost 100,000 acres of land categorized as Prime Farmland were converted to other land use categories (including other farmland classes). Almost 87,000 acres of land were converted to urban and built-up use from other land use categories over the same period. Of this total, just over 27,000 acres were converted from irrigated farmland. The largest share of this conversion occurred in the San Joaquin Valley region (49 percent), followed by the southern California region (27 percent), the Central Coast region (8 percent), and the San Francisco Bay region (8 percent). It is likely that this pattern will continue.

Chapter 5 of the Draft EIR/EIS recognizes that the Proposed Project, if implemented in conjunction with the projects considered in the cumulative impact analysis, may have a combined cumulative impact on the amount of agricultural land in Imperial County and in California in general. Unless non-rotational fallowing (i.e., fallowing for more than 4 years) is not employed as a conservation measure under the Proposed Project, this impact will remain cumulatively considerable.

S9-8

urbanization on the conversion of agricultural land in the project area, the Riverside-Imperial agricultural region, and statewide.

Mitigation Measures and Alternatives

S9-9

1. CDFA recommends a thorough consideration of alternatives that use on-farm conservation practices rather than fallowing. Increasing conservation practices, technology, and knowledge will be more effective in light of the growing need for water throughout the state. Fallowing is a short-term solution, but conservation can provide long-term success. For example, on-farm conservation could be supported by:
   a. Mitigation fees from the urban water users that could, in turn, support the cost of installing on-farm conservation measures; and,
   b. The purchase of agricultural land conservation easements on IID land to provide additional farm revenue in support of soil conservation-driven fallowing and water conservation.
2. If fallowing is inevitable, we recommend consideration of other mitigation measures that will lessen or eliminate the project's impacts on the loss of agricultural water supply, land, and overall production capacity. Measures that could be considered include:
   a. Use of cover crops to reduce soil erosion and pest/weed propagation on fallowed agricultural land;
   b. Limit the amount of land fallowed to a locally agreed upon level that will not significantly impair the agricultural support infrastructure in the IID;
   c. Rely on a combination of conservation tillage, soil conservation fallowing and water conservation practices to achieve the desired water savings;
   d. Purchase of agricultural land conservation easements as necessary to prevent the future conversion of agricultural land in the IID (agricultural land conservation easements should also be considered to off-set the unavoidable conversion of agricultural land in both the water source and delivery areas of the project);
   d. Use short-term, temporary fallowing rotations in order to protect appropriative rights and provide greater certainty to agricultural users in an uncertain water market;
   e. Reduce the fallowed land management burden on agricultural producers through cost-sharing on conservation practices, and regulatory relief with respect to weed control, fugitive dust control and water quality management;
   f. Identify criteria for selecting which acreage and crops should be fallowed including, for example:
      1) Quality of soil (to avoid fallowing of Prime Farmlands); and,
      2) Employment impacts (to avoid fallowing lands with highest potential job loss);
   g. Create buffer zones if fallowed land takes on a non-agricultural use, in order to reduce potential effects on surrounding agricultural land, and;
   h. Provide indemnities against surprises to farmers from claims to mitigate or pay for impacts to people, property, or the environment resulting from good-faith fulfillment of the contractual obligations.

Response to Comment S9-9

Many of the measures proposed in the comment are already included in the Draft EIR/EIS in Section 3.7, Air Quality, under Mitigation Measure AQ-3.

As described in the Draft EIR/EIS, depending on the eventual implementation of the water conservation program, there could either be beneficial or adverse impacts to the regional economy. If water is conserved using on-farm and water delivery system improvements, it is anticipated that there would be beneficial effects to regional employment; therefore, there would not be any adverse effects to mitigate. If fallowing is used to conserve all or a portion of the water to be transferred, there would be adverse effects to the regional economy and farm workers as identified in the Draft EIR/EIS.

The IID Board will consider whether to implement socioeconomic mitigation measures when it considers whether to approve the Proposed Project or an alternative to the Proposed Project.

Return to Contents

S9-10

We understand the tremendous pressure on water users in Imperial and San Diego Counties to reduce their dependence on Colorado River water. However, CEQA requires that secondary impacts deriving from the mitigation of primary impacts also be mitigated. In a sense, that is the situation here. The transfer of water from agricultural uses in Imperial County to urban uses in San Diego County will help to address the impacts on upstream water users of California water demands. However, this mitigation will result, in our estimation, in a permanent loss of the agricultural land base in one of California's most productive agricultural regions. We recommend that this impact be accurately and fully documented and mitigated.

Thank you for the opportunity to review and comment on the DEIR/S for this project. If you have questions on our comments, or require information or assistance in responding to them, please call me at (916) 657-4956.

Sincerely,

Steve Shaffer, Director
Agriculture and Environmental Policy

cc: Stephen L. Birdsall
Imperial County Agricultural Commissioner

Response to Comment S9-10

The potential range of impacts to agricultural land resources and associated mitigation measures are presented in Section 3.5, Agricultural Resources, in the Draft EIR/EIS. Changes to the text are indicated in subsection 3.5 of Section 4.2, Text Revisions of this Final EIR/EIS.

Return to Contents

State of California • The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Gray Davis, Governor
Rusty Areias, Director

Colorado Desert District
200 Palm Canyon Drive
Borrego Springs, CA 92004

RECEIVED
APR 26 2002
STATE CLEARING HOUSE

Clem 4/26/02 e

April 26, 2002

State Clearinghouse
P. O. Box 3044
Sacramento, CA 95812-3044

To Whom It May Concern:

Re: Imperial Irrigation District Water Conservation and Transfer Program, Draft Environmental Impact Report, SCH #1999091142

S10-1 Staff of the Colorado Desert District (CDD) of the California Department of Parks and Recreation (CDPR) has reviewed the subject document and we have a number of concerns concerning this project. In particular, the project threatens to impact the natural resources within Salton Sea State Recreation Area (SSSRA), one of the seven units managed by the CDD in southeastern California. Two other District units, Anza-Borrego Desert State Park® and Cuyamaca Rancho State Park, could also be potentially affected by this project.

CDPR is a Trustee Agency as provided for in the California Environmental Quality Act, and has a legal responsibility to protect resources held in trust for the people of the State of California. Trustee issues that ordinarily concern us include impacts of proposed projects upon recreational, cultural, natural and water resources on the lands we manage.

S10-2 Our primary concern regarding the present project is with the effects of reduced inflows to the Salton Sea, and with resulting impacts on the recreational value, salinity, avifauna, and fishery of the Sea. We believe that it is inappropriate to preclude some of the alternatives for the Salton Sea Restoration Project in the adoption of an EIR/EIS for this project, merely by stating that "Implementation of the Proposed Project is not inconsistent with subsequent implementation of a restoration project for the Salton Sea."

S10-3 Reducing inflows to the Sea will directly affect the avifauna and fishery of the Sea, two of the main reasons people visit Salton Sea State Recreation Area. The EIR states that this increased salinity will reach levels that are toxic to fish species in the Sea at some point in the future. This impact on the fishery will

Return to Contents

Letter - S10. California US Department of Parks and Recreation The Resources Agency. Signatory - David H. Van Cleve.

Response to Comment S10-1

Comment noted.

Response to Comment S10-2

Refer to the Master Response *on Other—Relationship Between the Proposed Project and the Salton Sea Restoration Project* in Section 3 of this Final EIR/EIS.

Response to Comment S10-3

In the absence of the Proposed Project, the salinity of the Salton Sea is projected to continue to increase, with consequent changes in the ecological dynamics of the sea. Water conservation and transfer under the Proposed Project would accelerate the occurrence of these changes but would not result in different effects than would ultimately occur in the absence of the Proposed Project. Implementation of the HCP component of the Proposed Project (see Attachment A to the present document) would avoid or mitigate the effects to biological resources of the Salton Sea that are specifically attributable to water conservation and transfer.

S10-3 have negative impacts on the millions of birds in the Pacific Flyway that rely upon those fish for food. It will also have a negative impact on the hundreds of
S10-4 thousands of people who visit the Sea each year to fish and birdwatch.

In addition to impacts on the natural resources, there will be impacts on SSSRA's infrastructure and facilities. CDPR has invested millions of dollars over the past 40 years to build and maintain facilities at the Salton Sea for camping, fishing, picnicking, education, boating, and sightseeing. The Preferred
S10-5 Alternative will result in major reduction of replenishment to the Sea, which will in turn drastically shrink the perimeter of the Sea. Many of the Recreation Area's facilities, including harbor, launch ramp and boat-in camps, will be rendered useless as the shoreline retreats.

This shrinking of the Sea will trigger another set of problems for CDPR
S10-6 and for residents of the region, including impacts to cultural resources, air quality and aesthetics. Specifically, we are concerned that:

S10-7
- that shrinking of the Salton Sea will expose fragile cultural resources to damage and unauthorized collection;

S10-8
- windblown dust and possibly hazardous materials along the newly exposed shoreline will cause major impacts to air quality and public health; and

S10-9
- the general results of the shrinking Sea and reducing of water quality will have negative impacts on the visual aesthetics of the region, further degrading the recreational experience of SSSRA's visitors.

As we mentioned earlier, we are also concerned about potential impacts
S10-10 to Anza-Borrego Desert and Cuyamaca Rancho State Parks, specifically with regard to water transfer systems. If this draft EIR/EIS is certified, it is important to ensure that any proposed routes for a delivery system between Imperial County and San Diego County do not traverse either of these State Parks. CDPR is opposed to any proposal which will establish new delivery systems on State Parks property, and such routes should not be considered, even as an alternative.

In conclusion, we support the adoption of Alternative 4. Fallowing as
S10-11 Exclusive Conservation Measure. We further support the adoption of HCP (Salton Sea Portion) Approach 2. The adoption of this Alternative and this Approach have the best chance for minimizing the negative impacts to, and providing for restoration of the Sea. As stated in the EIR, "the use of fallowing as a conservation measure would minimize the impact of reduced flows to the Sea under the Proposed Project, as well as minimize related impacts that could potentially occur in relation to reduced flows to the Sea." We also agree that fallowing is the best alternative for the endangered species that rely upon the

Response to Comment S10-4

Please refer to the Master Response on *Biology—Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS. Implementation of this approach will avoid impacts to the sport fishery and birdwatching activities which were previously attributed to the Proposed Project.

Response to Comment S10-5

Please refer to the Master Response on *Biology—Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS. Implementation of this approach will maintain the elevation at Baseline levels until the year 2030. Subsequently, the elevation of the Sea would decline with continued implementation of the Proposed Project. Stranding of recreation facilities due to elevation declines attributed to the Project would be mitigated by IID as described in Section 3.6 of the Draft EIR/EIS (Mitigation Measures R-7 and R-10) and paraphrased here:

Boat launching and camping facilities and access to them must be relocated as the Sea declines to provide ongoing boat launching and camping opportunities. The relocation of these facilities may be temporary and ongoing until the Sea reaches its minimum and stable elevation (approximately -240 msl), at which point permanent facilities must be provided.

Note that with implementation of the Conservation Strategy of the Salton Sea, the reduction in size of the Sea is limited to approximately 16,000 acres or 25 square miles - one-quarter of what was previously anticipated under the worst case scenario for the Proposed Project as described in the Draft EIR/EIS.

Response to Comment S10-6

Comment noted. Responses to the specific comments made in your letter regarding these issues are provided.

Return to Contents

Response to Comment S10-7

A shrinking Salton Sea could result in exposure (and possible looting) of archaeological sites. However, it is believed that more than 80 years of silty water inflows to the Sea will have deposited a thin layer of silt on top of the existing archaeological sites, possibly making their detection (by looters) less likely. Implementation of the Salton Sea Habitat Conservation Strategy (see Master Response on *Biology—Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS) would offset this potential cultural resources impact until Year 2030. In addition, Section 3.8, Cultural Resources, in the Draft EIR/EIS considers impacts to cultural resources from exposure of Salton Sea shoreline to be potentially significant. However, the mitigation measures included in the EIR/EIS have been designed to provide assurances in the event that if cultural resources are encountered during the Project term, they will be handled appropriately. With implementation of these mitigation measures, potential impacts to cultural resources are considered less than significant.

Response to Comment S10-8

Refer to the Master Responses on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan* and *Air Quality— Health Effects Associated with Dust Emissions* in Section 3 of this Final EIR/EIS.

Response to Comment S10-9

With the implementation of the Salton Sea Habitat Conservation Strategy, the elevation of the Salton Sea would not begin to decline until some time after 2030, and the ultimate elevation of the Sea under the Proposed Project in the year 2075 would be about -240 ft msl, reducing the surface area of the Sea by about 16,000 acres (about 25 sq miles). Aesthetic impacts at this elevation are reasonably represented by the visual simulations in the Draft EIR/EIS shown for Alternative 4 (which had a projected Sea elevation of -241 ft msl). These aesthetic impacts are still considered to be less than significant.

Response to Comment S10-10

The Draft EIR/EIS on the Water Conservation and Transfer Project does not consider the construction of any additional conveyance system. Alternatives that considered additional conveyance systems were considered, but eliminated as described in Appendix D of the Draft EIR/EIS.

Response to Comment S10-11

Comment noted.

S10-11

Sea. Thank you for the opportunity to comment on this project. If there are any questions regarding our comments, please contact acting Salton Sea Sector Superintendent Roland Gaebert at (760) 393-2460.

Sincerely,

For

David H. Van Cleve
District Superintendent

cc. DPLA Environmental Review Unit, California Department of Water Resources
Natural Resources Division, California State Parks
Roland Gaebert, Salton Sea Sector